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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

United States of America,

Plaintiff,

v.

David Allen Harbour,

Defendant.

No. CR-19-00898-PHX-DLR (DMF)

**UNITED STATES' SECOND
SUPPLEMENTAL PETITION TO
REVOKE DEFENDANT
HARBOUR'S RELEASE
PENDING TRIAL**

Comes now the United States, by and through undersigned counsel, and hereby submits a Second Supplemental Petition to Revoke Release of Defendant David Allen Harbour release by supplementing the allegation that he violated federal law as detailed below:

1. Defendant shall not commit any federal, state or local crime. (Doc. 17)

There is probable cause that Harbour violated this term by conspiring to commit wire fraud, Bank Fraud and False Statement on Loan and Credit Applications in violation of Title 18 U.S.C. §§ 371, 1014, 1349, 1343 and 1344. In sum, Harbour conspired with B.S. and K.B. to provide a false gift letter by email to Equitable Home Mortgage, Inc. in support

1 of a loan to purchase XXXX E. Georgia Ave., Phoenix, AZ 85016.

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3 **CONCLUSION**

4 Based on the forgoing, the United States moves the Court to conduct a hearing
5 pursuant to 18 U.S.C. § 3148(b) on the second supplemental petition, and to revoke its
6 current Order authorizing Harbour's release.

7 Dated this 1st day of February, 2022.

8 GARY M. RESTAINO
9 United States Attorney
District of Arizona

10
11 s/ Kevin Rapp
12 KEVIN M. RAPP
13 COLEEN SCHOCH
14 Assistant U.S. Attorneys

15 **CERTIFICATE OF SERVICE**

16 I hereby certify that on this 1st day of February, 2022, I electronically transmitted
17 the attached document to the Clerk's Office using the CM/ECF System for filing and
18 provided a courtesy electronic copy to all registered CM/ECF participants.

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20 s/ Marjorie Dieckman
21 U.S. Attorney's Office
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